

REMARKS

This is a full and timely response to the non-final Official Action mailed May 7, 2004 (Paper No. 2). Reconsideration of the application in light of the above amendments and the following remarks is respectfully requested.

By the forgoing amendment, the specification and various claims have been amended. Additionally, new claims 26-39 have been added. No claims are cancelled. Thus, claims 1-39 are currently pending for the Examiner's consideration.

The outstanding Office Action objected to Fig. 2 indicating that descriptive labels should be added to Fig. 2 for reference numbers 144, 150 and 152. Applicant respectfully disagrees and traverses this objection.

Portions of a figure are to be identified by, preferably, a reference number. (37 C.F.R. § 1.74). Written labels are only added to a drawing to identify a non-descript block in a block diagram. (37 C.F.R. § 1.83(a)).

Applicant's Fig. 2 is not a block diagram, but a representation of a remote control unit (144). As such, it is proper to identify the various parts of the drawing with reference numbers, as Applicant has done. It would not be proper, nor is it required, that a descriptive label be added with each reference number. Consequently, Applicant respectfully requests that the objection to Fig. 2 be reconsidered and withdrawn in light of these citations from the CFR.

With regard to the prior art, claims 1-25 were rejected as anticipated by U.S. Patent No. 5,754,939 to Lopresti et al. ("Lopresti"). For at least the following reasons, this rejection is respectfully traversed.

Claim 1 recites:

A versatile user interface system, comprising:
 a consumer device including a central processing unit having a memory for processing communication data;
 at least one application resident in the consumer device;
 a user interface device having at least one key for interfacing with the consumer device; and
 a plurality of software and application programming interface (API) routines resident in the memory of the consumer device,
 wherein at least one of the plurality of software and API routines forwards a key code to the at least one application, and
wherein the at least one application remaps a corresponding key code function of the at least one key or a sequence of keys when the at least one key on the user interface device is selected by a user.

(emphasis added).

Claim 10 recites similar subject matter in the form of a method claim:

A method for programming at least one application resident in a consumer device, comprising the steps of:
 providing at least one application resident in a consumer device;
 providing a plurality of software and application programming interface (API) routines resident in the consumer device; and
 sending control signals to the consumer device using a user interface device,
 whereby at least one of the plurality of software and API routines forwards a key code to the at least one application, and
whereby the at least one application remaps a corresponding key code function of the at least one key or a sequence of keys when the at least one key on the user interface device is selected by a user.

(emphasis added).

Claim 18 similarly recites:

A versatile user interface system, comprising:
 a set-top terminal including a central processing unit for and memory for processing and storing communication data;
 at least one application resident in the memory of the set-top terminal;
 a versatile remote control unit having at least one key for sending control signals to the set-top terminal;

a Versatile Remote Control Manager (VRCM) resident in the memory of the set-top terminal,
 wherein the VRCM forwards a key code to the at least one application, and
wherein the at least one application remaps a corresponding key code function for the at least one key or a sequence of keys when the at least one key is selected on the versatile remote control unit by a user.
 (emphasis added).

Claim 24 similarly recites:

A cable television system, comprising:
 a set-top terminal including a central processing unit and memory for processing and storing communication data, the set-top terminal connected to a CATV communication system;
 a display device operatively coupled to the set-top terminal;
 at least one application resident memory of the set-top terminal;
 a versatile remote control unit having at least one key for sending control signals to the set-top terminal to invoke the at least one application of the set-top terminal; and
 a plurality of software and application programming interface (API) routines resident in memory of the set-top terminal,
 wherein at least one of the plurality of software and API routines interact with the at least one application by forwarding a key code for the at least one application, and
wherein the at least one application remaps a corresponding key code function for the at least one key or a sequence of keys on the versatile remote control unit when the at least one key on the versatile remote control unit is selected by a user.
 (emphasis added).

In contrast, Lopresti fails to teach or suggest that an *application* remaps a key code function of a key on a user interface that is selected by a user. According to Lopresti, buttons on a keypad may be preprogrammed or programmed by a user “including a learning function which would allow keypad 79 to take on universal functions.” (Col. 6, lines 32-36). However, Lopresti does not teach or suggest that an application resident on a consumer device controlled by the user interface device “remaps a corresponding key code function of the at least one key or a sequence of keys when the at least one key on the user interface device is selected by a user.”

"A claim is anticipated [under 35 U.S.C. § 102] only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 2 U.S.P.Q.2d 1051, 1053 (Fed. Cir. 1987) (emphasis added). See M.P.E.P. § 2131. Therefore, the rejection of claims 1-25 based on Lopresti should be reconsidered and withdrawn.

Claim 6 recites a remote control unit that "includes a display for displaying at least one soft key generated by the VRCM for programming of the application using the VRCM." Claim 19 recites "wherein the versatile remote control unit includes a display for displaying at least one soft key generated by the VRCM."

In contrast, Lopresti does not teach or suggest soft keys. Lopresti does teach a "digitizing writing surface" on which a user can give written input to the system. However, the mere disclosure of a digitizing writing surface is not a suggestion of displaying or using soft keys on that surface. Lopresti appears only teach that a user enters written input using the digitizing writing surface. Consequently, Lopresti does not teach or suggest the claimed soft keys. For at least this additional reason, the rejection of claims 6-9 and 19 should be reconsidered and withdrawn.

Claim 7 recites "wherein the at least one soft key displays an application type to allow the VRCM to recognize that subsequent soft key selections correspond to the at least one application selected by the user." Claim 20 recites similar subject matter.

In contrast, Lopresti does not teach or suggest soft keys that correspond to particular applications for selection by a user as claimed. For at least this additional reason, the rejection of claims 7 and 20 should be reconsidered and withdrawn.

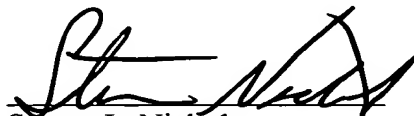
Claim 8 recites: “wherein the VRCM causes the display to show the mapping for the corresponding key code function associated with the at least one application.” The “display” referred to is a display on a remote control unit as recited in claim 6. Similar subject matter is recited in claim 21.

In rejecting this claim, the Office Action refers to a section of Lopresti that discusses a display on a VCR, not a display on a remote control unit. (Col. 4, line 65-col. 5, line 7). Lopresti does not teach or suggest the claimed VRCM that displays the mapping for corresponding key code functions for a particular application on a remote control unit. For at least this additional reason, the rejection of claims 8 and 21 should be withdrawn.

The newly added claims are also thought to be patentable over the prior art of record. For example, Lopresti does not teach or suggest that the commands signaled using keys on a remote control unit are changed based on which of a number of applications is selected. Consequently, examination and allowance of the newly added claims is respectfully requested.

For the foregoing reasons, the present application is thought to be clearly in condition for allowance. Accordingly, favorable reconsideration of the application in light of these remarks is courteously solicited. If any fees are owed in connection with this paper which have not been elsewhere authorized, authorization is hereby given to charge those fees to Deposit Account 18-0013 in the name of Rader, Fishman & Grauer PLLC. If the Examiner has any comments or suggestions which could place this application in even better form, the Examiner is requested to telephone the undersigned attorney at the number listed below.

Respectfully submitted,



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